

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DELASK PITTMAN,

Plaintiff,

vs.

RENEE BAKER, et al.,

Defendants.

Case No. 3:11-CV-00294-LRH-(WGC)

**ORDER**

The court ordered (#3) plaintiff to submit an amended complaint that corrected the defects of the original complaint (#5). Plaintiff has not complied with the court's order within the allotted time.

IT IS THEREFORE ORDERED that plaintiff's application to proceed in forma pauperis (#1) is **GRANTED**. Plaintiff shall not be required to pay an initial partial filing fee. However, even though this action is being dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).

IT IS FURTHER ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits to plaintiff's account (inmate #58318), in the months that the account exceeds \$10.00, until the full \$350 filing fee has been paid for this action. The clerk shall send a copy of this order to the finance division of the clerk's office. The clerk shall also send a copy of this order to the attention of the chief of inmate services for the Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702.

1 IT IS FURTHER ORDERED that this action is **DISMISSED** for failure to state a claim  
2 upon which relief can be granted. The clerk of the court shall enter judgment accordingly.

3 DATED this 28th day of September, 2011.

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7 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE